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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 10/001,474   | 11/01/2001  | Toshihiko Hamada     | TAK-0371                | 1908             |
| 7590   | 08/04/2004  |                      | EXAMINER                |                  |
| Michael P. Dunnam, Esq<br>WOODOCK WASHBURN KURTZ<br>MACKIEWICZ & NORRIS<br>One Liberty Place, 46th Floor<br>Philadelphia, PA 19103 |             |                      | ALBERTALLI, BRIAN LOUIS |                  |
|  |             |                      | ART UNIT                | PAPER NUMBER     |
|  |             |                      | 2655                    |                  |
| DATE MAILED: 08/04/2004  |             |                      |                         |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                       |                         |
|------------------------------|---------------------------------------|-------------------------|
| <b>Office Action Summary</b> | <b>Application No.</b>                | <b>Applicant(s)</b>     |
|                              | 10/001,474                            | HAMADA, TOSHIHIKO       |
|                              | <b>Examiner</b><br>Brian L Albertalli | <b>Art Unit</b><br>2655 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/1/01.

- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Objections***

1. Claim 15 is objected to because of the following informalities: the claim is numbered as "15," and should be --15--. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orsolini et al. (U.S. Patent 5,794,249), in view of Ejima et al. (U.S. Patent 5,974,386).
3. In regard to claim 1, Orsolini et al. discloses a voice input system, comprising:  
A vocal to textural converter (computerized speech recognition technology) for translating an audio frequency speech signal into speech data in a textual format (audio portion of recording source is transcribed by speech recognition technology, Fig. 2, step 31, column 3, lines 1-9);

A source of time data which is incremented every predefined length of time (speech recognition technology provides time data that is incremented every millisecond, column 3, lines 20-23 and lines 44-47); and

A text mixer (speech recognition technology triggers placement of time stamps within text, column 3, lines 44-47) for assigning the increments of the time data (time stamps) to successive segments of the speech data from the vocal to textural converter (step 32, time stamps increase moving through the text, column 3, line 58 through column 4, line 3).

Orsolini et al. does not disclose that the time data includes date information.

Ejima et al. discloses a method of indexing sound information that records the date and time the sound information was recorded (column 5, lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Orsolini et al. to include date data in addition to time data, as taught by Ejima et al., to index speech, so that at a later date, it would be possible to quickly look for a desired portion to be reproduced, as taught by Ejima et al. (column 6, lines 17-21).

4. In regard to claim 2, Orsolini et al. discloses a recorder (Fig. 1, computer 14) for recording the speech data (transcribed text) together with the time data (time stamps) assigned to the successive elements of the speech data (words and their time stamps are placed in an output file, column 4, lines 16-17).

5. In regard to claim 3, Orsolini et al. discloses a display for visually indicating segments of the speech data together with the time data increments assigned thereto (Fig. 5, computer screen 51, column 5, lines 1-3 and lines 40-42).

6. In regard to claim 4, Orsolini et al. discloses the time data is in textual format (column 3, lines 20-21).
7. In regard to claim 5, Orsolini et al. discloses a playback device for inputting therefrom an audio frequency signal retrieved from a record medium (recording source, Fig. 1, 11) and wherein the time source provides time data starting from the time the audio signal was recorded on the record medium (time stamps indicated the elapse of time relative to the starting point of the recording source, column 3, lines 21-24).
8. In regard to claim 6, Orsolini et al. discloses a voice input system, comprising:
  - A vocal to textual converter (computerized speech recognition technology) for translating an audio frequency speech signal into speech data in a textual format (audio portion of recording source is transcribed by speech recognition technology, Fig. 2, step 31, column 3, lines 1-9);
    - A text analyzer (computerized speech recognition technology) for dividing the speech data into a series of segments consisting of one or more whole words or phrase (see Table 1, "Once", "upon a time", etc.);
    - A source of time data which is incremented every predefined length of time (speech recognition technology provides time data that is incremented every millisecond, column 3, lines 20-23 and lines 44-47); and

A text mixer (speech recognition technology triggers placement of time stamps within text, column 3, lines 44-47) for assigning the increments of the time data (time stamps) to successive segments of the speech data from the vocal to textural converter (step 32, time stamps increase moving through the text, column 3, line 58 through column 4, line 3).

Orsolini et al. does not disclose that the time data includes date information.

Ejima et al. discloses a method of indexing sound information that records the date and time the sound information was recorded (column 5, lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Orsolini et al. to include date data in addition to time data, as taught by Ejima et al., to index speech, so that at a later date, it would be possible to quickly look for a desired portion to be reproduced, as taught by Ejima et al. (column 6, lines 17-21).

9. In regard to claim 7, Orsolini et al. discloses system for management of information, comprising:

A vocal to textural converter (computerized speech recognition technology) for translating an audio frequency speech signal into speech data in a textual format (audio portion of recording source is transcribed by speech recognition technology, Fig. 2, step 31, column 3, lines 1-9);

A text analyzer (computerized speech recognition technology) for dividing the speech data into a series of segments consisting of one or more whole words or phrase (see Table 1, "Once", "upon a time", etc.);

A source of time data which is incremented every predefined length of time (speech recognition technology provides time data that is incremented every millisecond, column 3, lines 20-23 and lines 44-47);

A text mixer (speech recognition technology triggers placement of time stamps within text, column 3, lines 44-47) for assigning the increments of the time data (time stamps) to successive segments of the speech data from the vocal to textural converter (step 32, time stamps increase moving through the text, column 3, line 58 through column 4, line 3); and

A recorder (Fig. 1, computer 14) for recording the speech data (transcribed text) together with the time data (time stamps) assigned to the successive elements of the speech data (words and their time stamps are placed in an output file, column 4, lines 16-17).

Orsolini et al. does not disclose that the time data includes date information.

Ejima et al. discloses a method of indexing sound information that records the date and time the sound information was recorded (column 5, lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Orsolini et al. to include date data in addition to time data, as taught by Ejima et al., to index speech, so that at a later date, it would be possible to quickly

look for a desired portion to be reproduced, as taught by Ejima et al. (column 6, lines 17-21).

10. In regard to claim 8, Orsolini et al. does not disclose an input means to initialize date and time data to a desired date and time.

Ejima et al. discloses a timepiece circuit for knowing the date and time (column 5, lines 30-34).

Ejima et al. does not expressly disclose an input means for initializing the timepiece circuit at a desired date and time, however, a timepiece circuit contained in a CPU, as disclosed by Ejima et al. will inherently have a means of initializing the clock so the time can be set correctly.

11. In regard to claim 9, Orsolini et al. discloses the playback device is a personal computer (Fig. 1, computer system 14).

Orsolini et al. does not disclose that the playback device (personal computer 14) is interfaced with another personal computer system for remotely controlling the playback device (personal computer 14).

The examiner hereby takes official notice that it is widely known and well recognized by those of ordinary skill in the art that one personal computer can be interfaced with another personal computer (by a network, or the like) and that one personal computer can be remotely controlled by a second personal computer.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Orsolini et al. so the playback device (personal computer 14) would be controlled remotely by a personal computer, which would allow the user to control the playback device (personal computer 14) from anywhere.

12. In regard to claim 10, Orsolini et al. discloses a method for indexing speech comprising:

Translating an audio frequency speech signal into speech data in a textual format (audio portion of recording source is transcribed by speech recognition technology, Fig. 2, step 31, column 3, lines 1-9);

Providing time data which is incremented every predefined length of time (time stamps are incremented every millisecond, column 3, lines 20-23);

Mixing the speech data (transcribed text) and the time data (time stamps) in such a manner that the increments of the time data are assigned to successive segments of the speech data (time stamps increase moving through the text, column 3, line 58 through column 4, line 3); and

Recording the speech data (transcribed text) together with the time data (time stamps) assigned to the successive elements of the speech data (words and their time stamps are placed in an output file, column 4, lines 16-17).

Orsolini et al. does not disclose that the time data includes date information.

Ejima et al. discloses a method of indexing sound information that records the date and time the sound information was recorded (column 5, lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Orsolini et al. to include date data in addition to time data, as taught by Ejima et al., to index speech, so that at a later date, it would be possible to quickly look for a desired portion to be reproduced, as taught by Ejima et al. (column 6, lines 17-21).

13. In regard to claim 11, Orsolini et al. discloses the textural speech data (transcribed text) is analyzed and divided into a series of segments consisting of one or more whole words or phrase (see Table 1, "Once", "upon a time", etc.), wherein the increments of the time data (time stamps) are subsequently assigned to successive segments of the speech data (time stamps increase moving through the text, column 3, line 58 through column 4, line 3).

14. In regard to claim 12, Orsolini et al. discloses the speech data (transcribed text) is recorded with field separators interposed between each speech data segment and the time increment assigned thereto (the field separator ":" is placed between each phrase and its corresponding time stamp, see Table 1).

15. In regard to claim 13, Orsolini et al. discloses the speech data (transcribed text) is recorded with record separators interposed between each combination of one speech data segment and one field separator and one time data increment and another such combination (in table 1, each combination of transcribed text, field separator ":" and

time stamp, such as "upon a time::20" and "there was a boy::28", is separated by a space " ").

16. In regard to claim 14, Orsolini et al. does not disclose the time data is indicative of present time.

Ejima et al. discloses time data is indicative of present time (the date and time the sound information is recorded, column 5, lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Orsolini et al. to record time data that was indicative of present time, as taught by Ejima et al., so that at a later date, it would be possible to quickly look for a desired portion to be reproduced, as taught by Ejima et al. (column 6, lines 17-21).

17. In regard to claim 15, Orsolini et al. discloses the time data is indicative of the lapse of time from an arbitrarily determined point in time (time stamps indicate the elapse of time relative to the starting point of a digital recording, column 3, lines 21-24).

### ***Conclusion***

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wactlar et al. (U.S. Patent 5,835,667) discloses a system for creating an index for a video library that converts audio data to text and marks the text with time stamps for later searching. Ely (U.S. Patent 5,600,756) discloses a method of indexing audio files automatically using speech recognition. Schulz (U.S. Patent

6,185,538) discloses a system for creating an edit decision list using speech recognition. Holt et al. (U.S. Patent 5,960,447) discloses a speech recognition system that tags recognized words with a time stamp. Warnock et al. (U.S. Patent 6,151,576) discloses a method of indexing speech that mixes time stamps and text.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L Albertalli whose telephone number is (703) 305-1817. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on (703) 305-3011. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7/26/04

W. R. YOUNG  
PRIMARY EXAMINER